

# SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FIRST DAY**

(Continued)

(Thursday, January 15, 2015)

**AFTER RECESS**

**JOINT SESSION**

(To canvass votes cast for Governor and Lieutenant Governor at the General Election)

The Senators present, escorted by the Secretary of the Senate and the Sergeant-at-Arms, proceeded to the Hall of the House of Representatives at 1:17 p.m. to canvass the votes cast for the Governor and Lieutenant Governor at the last General Election.

The Senators were announced and were admitted and escorted to seats prepared for them.

President Pro Tempore Hinojosa was announced and, on invitation of the Speaker, occupied a seat on the Speaker's Rostrum.

President Pro Tempore Hinojosa called the Senate to order and announced a quorum of the Senate present.

The Honorable Joe Straus, Speaker of the House of Representatives, called the House to order and announced a quorum of the House present.

President Pro Tempore Hinojosa stated the purpose of the Joint Session pursuant to **SCR 3**.

Speaker Straus then announced the appointment of the Joint Committee of Tellers and requested the tellers appointed, pursuant to the provisions of **SCR 3**, to come forward and receive the returns of votes cast for Governor and Lieutenant Governor at the last General Election held on November 4, 2014, which returns had been duly delivered by the Secretary of State to the Speaker of the House of Representatives.

Senators Schwertner, Chair; Bettencourt, Garcia, Kolkhorst, L. Taylor, and Uresti on the part of the Senate, and Representatives Parker, Chair; Cook, Flynn, Johnson, Morrison, and Muñoz on the part of the House of Representatives, then received the returns and proceeded to count the votes cast for Governor and Lieutenant Governor at the last General Election.

**AT EASE**

Speaker Straus at 1:22 p.m. announced the Joint Session would stand At Ease to await the report of the Joint Committee of Tellers and to hear the address of the Governor.

**IN JOINT SESSION**

Speaker Straus at 2:28 p.m. called the Joint Session to order.

The Joint Committee of Tellers submitted the following report:

**REPORT OF THE JOINT COMMITTEE TO CANVASS  
VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR**

Austin, Texas  
January 15, 2015

The Honorable Juan "Chuy" Hinojosa  
President Pro Tempore of the Senate

The Honorable Joe Straus, III  
Speaker of the House

Sirs:

We, the joint committee appointed by the presiding officers of the Senate and House of representatives to canvass the votes cast at the last general election held in the State of Texas on November 4, 2014, for Governor and Lieutenant Governor of the State of Texas, as shown by returns delivered to us by the Secretary of State, beg leave to report that we have performed that duty and that the result of our canvass is as follows:

The votes cast for governor are as follows:

Greg Abbott, Republican Party	2,796,547
Wendy R. Davis, Democratic Party	1,835,596
Kathie Glass, Libertarian Party	66,543
Brandon Parmer, Green Party	18,520
Sarah M. Pavitt, Write-In	1,062

The votes cast for lieutenant governor are as follows:

Dan Patrick, Republican Party	2,724,493
Leticia Van de Putte, Democratic Party	1,813,974
Robert D. Butler, Libertarian Party	119,833
Chandrankantha Courtney, Green Party	27,719

Respectfully submitted,

SCHWERTNER, Chair  
BETTENCOURT  
GARCIA  
KOLKHORST  
L. TAYLOR  
URESTI

On the part of the Senate

PARKER, Chair  
COOK  
FLYNN  
JOHNSON  
MORRISON  
MUÑOZ

On the part of the House

The report was read and was adopted unanimously by the Joint Session.

Speaker Straus declared the Honorable Greg Abbott duly, legally, and constitutionally elected Governor of the State of Texas for an ensuing term of four years.

Speaker Straus declared the Honorable Dan Patrick duly, legally, and constitutionally elected Lieutenant Governor of the State of Texas for an ensuing term of four years.

The Honorable Rick Perry and First Lady Anita Perry were announced and were escorted to the Speaker's Rostrum.

President Pro Tempore Hinojosa introduced the Honorable Rick Perry, Governor of the State of Texas, who addressed the Joint Session as follows:

Governor Dewhurst, Speaker Straus, members of the legislature: I appreciate this one final opportunity to speak to you, in the chamber where it all began for me, 30 years ago last week.

I have come here to reflect on what we have done together, and to say farewell. But most of all, to tell you it has been the highest of honors to serve as your governor for the last 14 years. I believe in public service, that it is among the most honorable of callings, and I am reminded of that every time I am with legislators, some of whom were here the day I first set foot on this floor, such as Speaker Craddick, my classmates Harold Dutton and John Smithee, Dean Whitmire and of course, the inimitable Mrs. Thompson. Because of their example, I have always viewed public service as a worthy calling, a calling President Lincoln summarized as doing, "the greatest good to the greatest number."

Texas is a state where the impossible is possible, where the sons and daughters of migrant workers can aspire to own the farm, where the children of factory workers can build new age manufacturing facilities, where the son of tenant farmers can become governor of the greatest state in the union. In Texas it's not where you come from that matters, it's where you are going. Texas doesn't recognize the artificial barriers of race, class or creed. The most vivid dreams take flight from the most humble beginnings. And so it was for me.

As many of you know, I grew up in a place called Paint Creek. When I was young, we didn't have electricity or running water. Mom bathed us in a number two washtub. And we attended the Paint Creek Rural School, where some of the teachers lived on campus. Their profession was literally their life, and they inspired me. In fact, I'm proud to say I graduated in the top ten of my class. . .of 13 students. I can assure you none of my teachers knew they were instructing a future governor. But they also have a motto at the Paint Creek School that summarizes the endless possibilities for its students: "no dream too tall for a school so small." In this, the People's House, we're in the business of making dreams possible. Every dream counts, every child matters, and in Texas, every child has a chance.

That is the Texas we have built together: a Texas of unlimited opportunity. There's a reason more people move to Texas than any other state, because this is the best place to find a job, raise your family and pursue your dreams.

In some respects, this has been true for a long time. In the early 1800's Americans headed west, leaving their troubles behind to find a second chance. When they got to Texas, they reached their final frontier. They planted roots, tamed a harsh land, won a Revolution, founded a Republic, survived droughts, wildfires and hurricanes, discovered crude, started great industries, universities, and took mankind to the moon.

In my tenure alone, we have been tested by the disintegration of the Space Shuttle Columbia, Hurricanes Katrina, Rita and Ike, devastating wildfires, the spread of Ebola and a humanitarian crisis at the border. Each time Texans have responded to these tests with great character. As long as there has been a Texas, there has existed a people whose character has been refined by fire, whose souls are resilient, who respond to tragedy with grace and who look to the future with hope. What we have done together is preserve Texas as a land of opportunity, making our economy more diverse and jobs more plentiful.

The difference between the great recession of the last decade, and the recession of the 1980's is that we have built a more diverse economy able to survive even those inevitable slowdowns. Two times during my tenure as governor we have faced major budget shortfalls, and both times we addressed those shortfalls without raising taxes. Today, the Rainy Day Fund is flush with billions in cash just four years after a \$27 billion budget shortfall. In addition, in keeping with my philosophy that you don't spend all the money just because you can, I am leaving the next governor more than \$100 million in unspent funds from trusteed programs and other funds managed by my office.

Our economy continues to be fueled by private sector innovation. Texas innovation gave the world Spindletop at the turn of the century and hydraulic fracturing at the end of the century. Today horizontal slant drilling is tapping oil and gas fields unreachable just a few years ago. This technology is testament to the power of the private sector to drive economic change.

But if you wonder whether leadership in a governor's office can impact economic growth, consider two states that share the Marcellus Shale: Pennsylvania and New York. Pennsylvania is creating thousands of energy jobs by utilizing fracking to tap deep energy reserves. On the other hand, New York Governor Andrew Cuomo, recently announced a fracking ban. Two states, two vastly different approaches. One creates jobs. One appeases a political base at the expense of the people. In Texas, we have chosen jobs. We have chosen energy security and we will one day end America's dependence on hostile sources of foreign energy.

But our success doesn't stop with traditional fuel sources. You can be proud that Texas produces more energy from wind turbines than all but five countries. We have expanded our economy while protecting our environment. Nitrogen oxide emissions are down 62 percent. Sulfur dioxide emissions are down more than 50 percent. Ozone levels are down 24 percent and our carbon footprint has been reduced by nine percent. We

do not accept the false choice the president offers about projects like the Keystone Pipeline, between a clean environment and a strong economy. In Texas, we have protected the air we breathe, the water we drink, the land we farm, without declaring war on American Industry.

I have been guided by a simple philosophy: that job creation, not higher taxation, is the best form of revenue generation. And we have created jobs. In the last year, we have created 441,000 jobs. Since I became governor, with your help, we have created almost one-third of all the nation's new jobs. The unemployment rate in Texas is significantly below the national average at under five percent. In Austin, it's under four percent. In fact, if you look at the last seven years, starting in December of 2007, you will see that 1.4 million jobs were created in Texas. In that same period, the rest of the country lost 400,000 jobs. Our formula for success is simple: keep taxes low, implement smart regulations, provide an educated workforce and stop lawsuit abuse at the courthouse.

As you will recall, with the election of the first Republican Speaker in more than a century, we set out to do things differently in 2003. And we did two things that set the tone for the next decade. First, we refused to raise taxes in the face of a \$10 billion shortfall. Instead, we cut spending. We enforced zero-based budgeting, and we resisted the idea that Texans should pay more so government could cut less.

Second, we passed the most sweeping lawsuit reforms in the nation, reforms that Dallas Federal Reserve President Richard Fisher has called the key to our economic growth. These reforms were controversial among those who wrote opinion columns and hired swarms of lobbyists. But it wasn't controversial for the trucker or the waitress, the farmer or the nurse, the quiet majority that feels over-billed and taxed to death. Those Texans can't demand a raise when spending exceeds revenue and neither should government.

While some still struggle in the shadows of opportunity, we have created tremendous possibilities for millions of Texans. While the rest of the nation has lost middle class jobs, Texas has created them. In fact, Texas has created new jobs in every income category. The people who benefit from our economic policies are the young high school graduate making six figures working in the oil fields, the small technology start-up with access to software engineers, the line worker at Toyota and the engineer with Space X.

With major investments in jobs come major investments in the cultural arts. Dallas is home to the Meyerson Symphony Center, and the AT&T Performing Arts Center. The American Film Institute moved its headquarters from California to Dallas. The Nasher Sculpture Center relocated to Dallas in 2003. The Perot Museum of Nature and Science opened there in 2012. The largest cultural arts district in the country, at 68 acres, is now in Dallas. Fort Worth is home to a new museum of modern art, a revitalized Kimbell Art Museum, and the Bass Performance Hall, all a vital part of the nation's third largest cultural district. In Austin we now

have a museum of modern art, a performing arts facility and the largest film and music festival in the world, as well as the only Formula One Race in the United States. Just south of us, San Antonio has a new performing arts facility. And in Houston, tonight there are more theatre seats available than any place this side of Broadway. This creative and cultural arts boom is not the product of a government grant program, but the result of your policies that have created a decade of economic expansion.

As governor, I have made economic growth my signature initiative. But I recognize job creation is not the answer to every ill. In fact, in some respects it has brought challenges to our state, straining our water resources, crowding our freeways, stressing our power grid. In recent years we have taken action to protect our water supply and expand roadways. But work remains to be done if Texas is to continue to lead the nation.

Our success has also attracted millions of job seekers, not just from other states, but other countries. Many attempt to reach our state by any means, legal and illegal. Even more troubling than the economic migrant who comes here illegally, and the children who come here from Central America unaccompanied by their parents, are the drug cartels and trans-national gangs that exploit their plight and threaten our citizens. Those who smuggle children, enslave women, destroy lives by peddling illegal drugs and weapons, they are the face of evil. We have not stood idle against this threat. Texas has done more to secure the border than any state in the nation. As long as Washington will not secure the border, Texas will be equal to the task.

Thirty years ago, when I took the oath of office on this floor, I was a Democrat. Three sessions and a good many special sessions later I became a Republican. I made both political parties very happy. The one constant has been a belief in conservative ideas, that families know how to spend their money better than government. That government must do a few things, and do them well, and that Texans, uninhibited by over-taxation and excess regulation, can make the most of freedom.

But many of our citizens are not free, because they live with the chains of addiction. Over the years I have come to see our approach to non-violent drug offenders as flawed. Because of the leadership of Democrats and Republicans, we started to take a new approach. On the advice of a Democratic judge in Dallas, we created drug courts. We have created diversion programs that treat alcoholism and drug addiction as a disease, and not a moral failing. And because of these changes in policy, we have been able to shut down three prisons. Repeat offenses by drug offenders are down, and the crime rate is the lowest it has been since 1968. Of those imprisoned because of addiction, I think of the words of the 20th Century social activist who co-founded Volunteers for America Maud Ballington Booth:

"There is a sunshine that can force its way through prison bars and work wondrous and unexpected miracles. . .and a genuine change of heart where such results seemed the most utterly unlikely and impossible."

My fellow Texans, we must remember when it comes to the disease of addiction the issue is not helping bad people become good, but sick people become well. Turning to diversion programs hasn't made us soft on crime, it's made us smart on crime.

There is not a single accomplishment I have spoken of today that occurred without bipartisan support. I believe we are at our best when we get beyond our differences and attempt to seek common ground. I speak to members of my own party in asking that you do not place purity ahead of unity. Ronald Reagan knew that someone who agreed with him 80 percent of the time was not his enemy, but his friend. There is room for different voices, for disagreement. Compromise is not a dirty word if it moves Texas forward. If members of this body work across party lines and put Texas first, I believe the best is yet to come.

I couldn't pick a better successor as governor than Greg Abbott. And he couldn't have two better partners to lead this state than Dan Patrick and Joe Straus. As I bid farewell, I know the future is in good hands. And I am confident that Texas will remain the best place to start a business, find a job, and realize one's God-given potential. We are the new frontier of freedom and opportunity, a state whose landscape glitters with millions of dreams, big and small.

I am proud to call Texas my home, humbled to have stood in her service for the last 30 years, and ever-optimistic of what she will become in the years ahead. I leave you with this: Be true to Texas, always, and she will be true to you. Good luck, Godspeed, God bless you, and through you, may God bless Texas.

*(Note: Prepared text)*

### **HOUSE OF REPRESENTATIVES AT EASE**

Speaker Straus at 3:00 p.m. stated the purpose for which the Joint Session was held having been completed, the House of Representatives, pursuant to a previously adopted motion, would stand At Ease pending the departure of its guests.

### **RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

#### **Memorial Resolution**

**SR 17** by Bettencourt, In memory of Cheryl Lynn McIntyre.

#### **Congratulatory Resolutions**

**SR 6** by Campbell, Recognizing the citizens of San Antonio for honoring the life of Dr. Martin Luther King Jr.

**SR 8** by Schwertner, Congratulating the Cameron Yoe High School football team on winning a state championship title.

**SR 9** by Schwertner, Congratulating the Navasota High School Rattlers football team on winning a state championship title.

**SR 10** by Schwertner, Congratulating the Bremond High School football team on winning a state championship title.

**SR 11** by L. Taylor, Recognizing Cornerstone Fellowship Church of Galveston County on the occasion of its anniversary celebration.

**SR 12** by L. Taylor, Recognizing Ray Holbrook for receiving a Texas A&M University 2014 Distinguished Alumni Award.

**SR 13** by L. Taylor, Recognizing the First Presbyterian Church in Galveston on the occasion of its 175th anniversary.

**SR 14** by L. Taylor, Recognizing Johnny Smecca for being named the Galvestonian of the Year for 2014.

**SR 15** by Estes, Recognizing David Greer for his service to the citizens of Henrietta.

**SR 16** by Bettencourt, Recognizing the investiture of Jane Cummins as president of the Texas Lyceum.

### **RECESS**

President Pro Tempore Hinojosa at 3:00 p.m. stated the purpose for which the Joint Session was held having been completed, the Senate, pursuant to a previously adopted motion, would stand recessed until 11:00 a.m. Tuesday, January 20, 2015, for the Joint Session to Inaugurate the Governor and Lieutenant Governor.

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### **APPENDIX**

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### **RESOLUTIONS ENROLLED**

January 15, 2015

**SR 6, SR 8, SR 9, SR 10, SR 11, SR 12, SR 13, SR 14, SR 15, SR 16, SR 17**